

**CITY OF GAUTIER
Business Agenda Item #4
Fact Sheet**

Council Meeting:
Title:

April 7, 2015
**Resolution Declaring that a Necessity Exists for
the Removal of a 28" (in diameter) Protected Live
Oak Tree at 1426 Valargo Court, Gautier**

Introduced by:
Contact Person/Telephone

Chandra Nicholson 497-8000 ext. 312

**Summary Explanation: Approval of a resolution declaring that a necessity exists for the removal
of a 28" (in diameter) protected Live Oak Tree at 1426 Valargo Court, Gautier.**

EXHIBITS FOR REVIEW

Resolution	<input checked="" type="checkbox"/>
Ordinance	<input type="checkbox"/>
Contract	<input type="checkbox"/>
Minutes	<input type="checkbox"/>
Plan Maps	<input type="checkbox"/>
Order	<input type="checkbox"/>
Other	<input type="checkbox"/>
Submittal Authorization	City Manager

Staff Recommendation:
Approval

Motion Made by:

Gollott ☐ **Martin** ☐ **Jones** ☐ **Guillotte** ☐ **Vaughan** ☐ **Anderson** ☐ **Colledge** ☐

Second Made by:

Gollott ☐ **Martin** ☐ **Jones** ☐ **Guillotte** ☐ **Vaughan** ☐ **Anderson** ☐ **Colledge** ☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Gollott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At Large	Martin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 1	Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2	Guillotte	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3	Vaughan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4	Anderson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 5	Colledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

RESOLUTION NUMBER 000-2015

A Resolution Declaring That A Necessity Exists For The Removal of a 28" (in diameter) Protected Live Oak Tree at 1426 Valargo Court, Gautier Mississippi

WHEREAS, Section 11.4.5 of the Unified Development Ordinance requires the City Council adopt a resolution finding a necessity for the removal of protected trees; and

WHEREAS, to determine whether a request warrants a finding of necessity, the Council shall consider the Comprehensive Plan, the intent of Section 11.4.5 of the Unified Development Ordinance to preserve protected trees, whether the continued preservation of the tree(s) places a significant hardship on the property owner, the continuation of the tree(s) threatens public safety and welfare, and whether all other options for preservation and/or relocation have been explored and found unsatisfactory; and

WHEREAS, Spencer Garrett, owner-occupant of said single-family residential property, must remove an 28" (in diameter) live oak in the rear yard of the property due to damage the tree is causing to private property improvements; and

WHEREAS, in accordance with Section 11.4.5 of the Unified Development Ordinance, owner-occupants of single-family residential homes are not required to prepare and implement a tree mitigation and preservation plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gautier, Mississippi, that:

Section 1. Finding of Necessity. For the aforesaid reason, this Council hereby finds, determines and declares that a necessity exists with respect to the removal of a protected tree at 1426 Valargo Court, Gautier, MS 39533, which is a residential property.

Section 2. Effective Date. This Resolution shall be in full force and effect from and immediately upon its adoption.

Motion made by **BLANK**, seconded by **BLANK** and the following vote was recorded:

AYES:

NAYS:

DULY ADOPTED this **7th** day of **April**, 2015 by the City Council of Gautier, Mississippi.

ATTEST:

City Clerk
Cynthia Russell

Mayor Gordon Gollott